

REMARKS

Claims 1-13 are pending in this application. By this Amendment, claim 1 is amended and claim 13 is added. Reconsideration in view of the above amendments and the following remarks is respectfully requested.

The courtesies extended to Applicant's representative by Examiner Joyce at the interview held January 13, 2004, are appreciated. The reasons presented at the interview as warranting favorable action are incorporated into the remarks below and constitute Applicant's record of the interview.

The Office Action rejects claims 1-3, 7 and 8 under 35 U.S.C. §102(b) as being anticipated by Lehman (U.S. Patent No. 2,884,790) and claims 1-3, 7 and 8 under 35 U.S.C. §102(b) as being anticipated by Fewel (U.S. Patent No. 4,387,539). Applicant respectfully traverses these rejections.

As agreed during the personal interview, Lehman does not disclose or suggest a vibrating aggregate for vibrating a piece attached thereto, the aggregate comprising *inter alia* a shaft including shaft sections each being detachably connected to respective ends of a rigid central portion of the shaft, as recited in independent claim 1.

As also agreed during the personal interview, Fewel does not disclose or suggest a vibrating aggregate for vibrating a piece attached thereto, the aggregate comprising *inter alia* a shaft including shaft sections being detachably connected to respective ends of a rigid central portion of the shaft by a joint wherein the shaft sections being connected to the rigid central portion results in the shaft being longer than the rigid central portion, as recited in independent claim 1.

Accordingly, Applicant asserts that independent claim 1 defines patentable subject matter. Applicant also asserts that, for at least their dependence on claim 1, claims 2-3 and 7-8 also define patentable subject matter. As such, Applicant respectfully requests that the rejections of claims 1-3, 7 and 8 be withdrawn.

The Office Action rejects claims 4, 5 and 9-11 under 35 U.S.C. §103(a) over Lehman or Fewel and further in view of Redinger (U.S. Patent No. 1,615,233), and claims 6 and 12 under 35 U.S.C. §103(a) over Lehman or Fewel.

Applicant asserts that Redinger fails to cure the deficiencies of Lehman and Fewel in disclosing or rendering obvious the features of claims 4, 5 and 9-11, including the limitations of allowable independent claim 1. As such, Applicant asserts that claims 4, 5 and 9-11 define patentable subject matter. Applicant also asserts that, for at least their dependence on allowable claim 1 and as agreed during the personal interview, claims 6 and 12 also define patentable subject matter. Accordingly, Applicant respectfully requests that the rejections of claims 4-6 and 9-12 be withdrawn.

Finally, regarding the possibility of combining Fewel with any other apparatus, such as the one disclosed in Soldan (U.S. Patent No. 2,267,143) discussed by the Examiner during the personal interview, that may include a joint which would render the shaft of Fewel longer than the rigid central portion of the shaft, Applicant asserts that combining such a joint in Fewel would prohibit the apparatus described in Fewel from fulfilling its intended function, or else change its principle of operation. Specifically, Fewel relies on the shaft 44 extending the entire height of the apparatus, through housing 24 (see, e.g., Col. 3, lines 35-62). Accordingly, substituting a structure in which the shaft is divided by joints, would prevent the operation of the apparatus described in Fewel as originally intended, or change its principle of operation. As such, Applicant asserts that it is not possible to combine a joint that would extend the length of the central rigid portion of the shaft with the apparatus described in Fewel without changing Fewel's principle of operation or preventing it from fulfilling its intended function.

For example, should a shaft section, such as quill shaft 44 of Fewel, be attached to another shaft section to form a shaft longer than the rigid central portion, and being able to transmit both torque and bending moment, using a joint like the one disclosed in Soldan, the following problem

would occur. Such a structure would likely necessitate axial tightening of the joint. However, pins 48 of Fewel would prevent the use of an axial fixing screw on the shaft 44 of Fewel.

Additionally, if non-axial tightening were attempted in Fewel, then access openings would need to be provided in the housing 24. However, Fewel discloses that the quill shaft 44 "is of substantially less bending stiffness than the housing 24" (see, e.g., col. 3, lines 35-46). Providing access openings in the housing 24 would lead to a decreased bending stiffness of the housing 24, in direct contradiction to this teaching. Accordingly, for this additional reason, Applicant's invention is non-obviousness with respect to Fewel.

Finally, even if Fewel and Soldan were combined, it is not clear that the resulting structure would necessarily include each and every feature of independent claim 1.

New claim 13 is allowable for its dependence on claim 1, as well as for the additional feature it recites.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-13 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in better condition for allowance, the Examiner is invited to contact Applicant's undersigned representative at the telephone number listed below.

Respectfully submitted,



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